

From: Teresa McPherson
To: INET:gustafgg@bp.com, INET:fidc@polarnet.com, INET:a...
Date: 9/24/98 12:44pm
Subject: RAC resolution

Joan came by Wed. a.m. and we finalized the resolution according to the language approved by the RAC at the mtg Tuesday. Joan will transmit the resolution to the Commissioner of DNR as Jules Tileston requested at the mtg.

I'm not sure what format is best for each of you, so I've saved the resolution as both a PC and Macintosh file and attached the file to this msg. I've also copied the resolution directly into the body of this msg. I hope to have the minutes of the mtg ready by next Friday (Oct. 2). The resolution will be attached to the minutes and sent to members of the public who signed the mail list at this and previous mtgs.

For those RAC members who traveled from Anch to Fbx for the mtg, I will get you reimbursed for your airport parking, mileage to/from the airport and meals (according to a flat rate for one day). If you have other expenses, pls give me a call. No receipts are needed for misc expenses under \$25.

RAC RESOLUTION
Passed September 22, 1998

Whereas, the Alaska RAC recognizes that the Fortymile River presents a unique situation as an historic mining district, and

Whereas, the Alaska RAC has studied the issue of long-term camping in the uplands in support of suction dredge mining on the Fortymile River segment between the Kink and the confluence, and

Whereas, the Alaska RAC queried a broad variety of user groups with an interest or stake in resolution of the issue, and

Whereas, the Alaska RAC has encouraged and supported the efforts of a working group of stakeholders to reach a consensus on the details of a program and they have fashioned a reasonable course of action, and

Whereas, the Alaska RAC recognizes that BLM may be required to prepare site specific environmental assessments of individual campsites in order to authorize long-term camping on this segment of the system, and

Whereas, the Alaska RAC supports timely issuance of long-term camping permits between the Kink and the confluence as long as the State of Alaska institutes and maintains a policy of treating mining claims above the Kink as State selected, and

Whereas, this recommendation regarding camping applies only to the portion of wild river between the Kink and the confluence, so

Now therefore, be it resolved:

The Alaska RAC recommends that, as soon as possible, BLM prepare the site specific environmental assessments and any other documents necessary to authorize five to ten long-term camping sites on federal land on the North Fork of the Fortymile River downstream from the Kink in accordance with the 15-point agreement drafted by the Fortymile work group, including consideration of alternatives and appropriate stipulations and mitigating measures needed to comply with federal law.

This resolution provides for upland camping only on that 21-mile segment of the North Fork of the Fortymile River between the Kink and the confluence with the South Fork of the Fortymile River. The agreement in this resolution will remain in effect through a period of 180 days following agreement by the Bureau of Land Management and the State of Alaska that another wild segment of the Fortymile River above the Kink is navigable. If and when another wild segment of the Fortymile River above the Kink is determined to be navigable, this agreement shall be subject to renewal, revision, or termination. This agreement is contingent upon--and does not take effect until--the miners are allowed access to upland camps on the 21-mile segment and the State is simultaneously ready to treat any mining claims above the Kink as "State Selected."

This resolution passed unanimously by the Alaska RAC September 22, 1998, with Brad Meiklejohn and Walter Sampson absent.

CC: INET:travostj@prestongates.com,ilmakcso.ilmakds1.t...

MEMORANDUM

JUN 12 1998

To: 40 Mile Work Group

From: Alaska RAC

Date: June 9, 1998

TL 1	TL 2
MAINT 1	MAINT 2
NRS 1	NFS 2
ORP 1	OR 2
RS 1	
CR 1	

On May 7, 1998, you requested that the RAC act on three items contained in your facsimile transmission of that date. On May 8, 1998, the RAC and the 40 Mile Work Group met by teleconference to discuss the May 7 facsimile transmission. After the teleconference, the RAC met for most of the afternoon to discuss the Work Group's concerns in the teleconference and to look again at the concerns members of the RAC voiced during the teleconference. By adjournment time, the RAC agreed upon language the members would like changed in item no. 15 of the Forty Mile Work Group Draft Agreement:

Delete the last sentence of point 15 and add the following:

"This Agreement provides for upland camping only on that 21 mile segment of the North Fork of the forty mile river between the Kink and the confluence with the south Fork of the forty mile river. This Agreement will remain in effect through a period of 180 days following agreement by the Bureau of land management and the State of Alaska that another wild segment of the Fortymile river is navigable. If and when another Wild segment of the Fortymile river is determined to be navigable, this Agreement shall be subject to renewal, revision, or termination. This Agreement is contingent upon - and does not take effect until - the miners are allowed access to upland camps on the 21 mile segment and the State is simultaneously ready to treat any mining claims above the Kink as "State Selected."

The intent of the RAC members is that if and when there is a navigability decision in favor of the State of Alaska on another wild section of the 40 Mile River, that the land managers, the RAC, and the 40 mile Work Group (or if they do not exists, other appropriate interested groups) shall revisit whether or not to continue upland camping in the 21 miles between the confluence and the Knik.

The RAC would also like a point in the Agreement which recognizes the unique circumstances of the Fortymile, such as:

"The Fortymile river is a unique situation which shall not be construed as precedent for any other Wild and/or Scenic River."

The RAC has no problem with a two-year trial period for long term camping.

The RAC believes that the above paragraphs of this memorandum provide written direction for the Work Group activities.

Brad Meikeljohn and Joan Travostino would like to meet with the Work Group in Fairbanks at a mutually acceptable date to discuss the above language and other concerns.

FORTY MILE WORKING GROUP
DRAFT AGREEMENT

May 7, 1998

The Fortymile Work Group will support camping on the uplands if there is an agreement between the BLM, the State of Alaska, the miners, and the recreation users that include the following 15 provisions:

1. Camping in support of mining operations on adjacent State land will be limited to approved upland locations. The State will not authorize gravel bar or floating camps in support of mining operations where BLM authorizes upland camps (system-wide).
2. A multi-user group to include BLM, the State, recreation users, and miners will be used to pre-select camp sites along the 21 mile section of the North Fork of the Fortymile River between the Kink and the Confluence with the South Fork.
3. Site specific environmental assessments (EA) will be prepared for all proposed long-term camp sites.
4. Active campsites will be limited in number, and visual screening from the river will be mandatory. The exact number of active camp sites will be guided by the EA and the number of applicants. The section of river for one mile below the Kink would be free of long-term camps, recognizing this as a prime camping and portage area for recreational floaters.
5. The standards for these camp sites in Wild River areas will be higher than those detailed in BLM's 1988 EA on Long-term Camping. The State will place stipulations in its Land Use Permits limiting the nature and quantity of "day-gear" allowed below the ordinary high water mark for mining operations.
6. Permits and bonding will be required for all long-term camps in the Wild River areas.
7. Annual joint State and Federal inspections will be conducted periodically. Invitations to join the inspections will be offered to the mining and recreational communities.
8. A mechanism to obtain and disseminate information to members of the Fortymile Work Group will be created for the purpose of gathering input as to the conditions observed on the Fortymile.
9. The riverbed mining in the wild sections that are determined to be navigable will be limited to suction dredges with an intake nozzle diameter no greater than 10 inches.

10. At the conclusion of two full seasons that the long-term camping is in effect in the Wild River Segment, the Fortymile Work Group will complete an evaluation and make a final recommendation to the RAC. An interim evaluation and report will be completed after one season.
11. This agreement will serve as a basis for a cooperative agreement for the Fortymile River System between the BLM and the State of Alaska, in cooperation with the Fortymile Miners Association, the Fairbanks Paddlers, and other user groups, for the effective management of camping in support of mining operations.
12. The State and BLM should assess the need for a Cooperative Management Plan for the Fortymile River.
13. Recreational mining will be addressed in the cooperative management effort.
14. The Fortymile Work Group proposes its continuation as a multi-interest group to conduct annual reviews of the management conditions and make recommendations for changes to the management agencies.
15. The State will treat any mining claims staked above the Kink as "State Selected" for permitting purposes. The State will not issue Land Use Permits for mining operations or camping below the ordinary high water mark until the State and BLM agree on ownership of the riverbed above the Kink. This policy would be limited strictly to the Middle Fork and the North Fork above the Kink - it would not apply to any other water bodies within the State: furthermore, it is contingent upon - and does not take effect until - the miners are allowed access to upland camps below the Kink.

From: Brad Meiklejohn <BMeiklejohn@compuserve.com>
To: Teresa McPherson <tmcpfers@ak.blm.gov>
Date: 10/1/98 8:56am
Subject: RAC resolution

I abstain.

Brad Meiklejohn